

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

193T0306

## HOUSE HEALTH AND HUMAN SERVICES ENGROSSED NO. **HB 1190** - 1/31/2012

Introduced by: Representatives Hubbel, Liss, Magstadt, Nelson (Stace), Olson (Betty), and  
Venner

1 FOR AN ACT ENTITLED, An Act to require Legislative approval before a health insurance  
2 exchange is created or implemented.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. No public health insurance exchange may be created or implemented without the  
5 express approval of the Legislature.

6 Section 2. No provision under Title 58 may be construed as granting the director of  
7 insurance, or any other person, the authority to establish a public health insurance exchange.

8 Section 3. For purposes of this Act, health insurance exchange means any government run  
9 or administered health benefit market as defined in the federal Patient Protection and Affordable  
10 Care Act, Pub. L No. 111-148, 124 Stat. 119 (2010) as amended by the Health Care and  
11 Education Reconciliation Act of 2010, Pub. L. No. 111-152, 142 Stat. 1029 (2010) where  
12 individuals or small businesses with up to one hundred employees may purchase qualified health  
13 benefit plans.

